

Mayor Ed Sisson called the meeting to order at 7:00 p.m. Also present were Councilmembers Bill Raley, Ron Austin, Christopher Ryan and Gerald Roberts, along with City Manager David Torgler and City Attorney David McConaughy. A meeting notice was posted in the south window at City Hall at least twenty-four hours prior to the meeting.

**Pledge of Allegiance**

The Mayor led everyone present in the Pledge of Allegiance.

**Changes to the Agenda**

The Clerk stated that the public hearing regarding the sales tax license has been removed.

**Minutes**

The Clerk amended the minutes to reflect that David McConaughy was not present.

Councilmember Ryan stated that under citizen comments he would like to have the minutes reflect city staff and city officials.

It was moved by Councilmember Roberts and seconded by Councilmember Raley to approve the minutes of the August 2, 2016 regular meeting as amended. All in favor, motion carried.

**Citizen Comments**

There were none.

**Letter of Intent to Participate in the Delta County Multi-Jurisdictional Hazard Mitigation Plan**

Interim Chief of Police Charles Kettle explained that the Delta County Hazard Mitigation plan has expired. The Pre-Disaster Mitigation (PDM) Program provides funding on a nationally competitive basis for plans and for natural hazards mitigation projects. Eligible activities include local hazard mitigation plans, property acquisition and demolition, elevation or relocation, minor localized flood reduction projects (i.e., detention ponds, improved culverts, channel stabilization), structural retrofitting of existing buildings, infrastructure retrofits, construction of tornado safe rooms, and wildfire defensible space or fuels reduction projects.

City Manager David Torgler requested that Council include a letter stating there is not any financial obligation from the City.

Jeff Wright, Delta County Emergency Management stated that they are applying for a federal grant and if there are any costs it will come out of the emergency management fund.

It was moved by Councilmember Austin and seconded by Councilmember Raley to authorize the Mayor to sign a Letter of Intent to Participate in the Delta County Multi-Jurisdictional Hazard Mitigation plan subject to the City of Delta not having any financial obligation. All in favor, motion carried.

**Rezone Recommendation from the Planning Commission for 755 Crawford Avenue**

Community Development Director Glen Black stated that the Planning Commission at their meeting on August 1, 2016 held a Public Hearing to review a Zoning Amendment/Rezone Request for 755 Crawford Avenue from MHR to B-2. After a properly noticed public hearing, the Planning Commission made the decision to recommend "No Change" to the zoning map to City Council.

Mr. Black explained that Council shall decide how they wish to proceed. Council has two options:

1. To accept the recommendation of denial from the Planning Commission and take no action, unless an appeal is filed. (No appeal was filed within the allowed time frame)
2. The Council may decide in its discretion to hear the matter de novo as set out in 17.04.290.H.1. and 17.04.290.H.3

**Regular Meeting, Delta City Council, August 16, 2016 (cont.)**

**Rezone Recommendation from the Planning Commission for 755 Crawford Avenue (cont.)**

It was moved by Councilmember Roberts and seconded by Councilmember Raley to accept Planning Commission's recommendation for no change to the rezone request at 755 Crawford Avenue. All in favor, motion carried.

**Proclamation – Anna Marie Suppes Day**

Mayor Sisson read the Proclamation.

**Auditor's Report**

Tim Mayberry with Holscher, Mayberry & Company, LLC presented the 2015 audit report and answered questions from Council.

It was moved by Councilmember Roberts and seconded by Councilmember Ryan to accept the auditor's report for 2015. All in favor, motion carried.

**City Attorney Comments**

There were none.

**City Manager Comments**

There were none.

**Councilmember Comments**

The Council commented on the retreat that was held.

**Executive Session**

It was moved by Councilmember Raley and seconded by Councilmember Roberts to convene an Executive Session for a conference with the City Attorney for the purpose of receiving legal advice on specific legal questions under CRS Section 24-6-402(4)(b) – update on litigation. All in favor, motion carried.

At 7:31 p.m., Mayor Sisson recessed the Regular Meeting and convened the Executive Session.

At 8:35 p.m., the Mayor reconvened the Regular Meeting and announced that the Executive Session had been concluded. He stated that in addition to himself, the participants in the Executive Session were Councilmembers Ron Austin, Christopher Ryan, Bill Raley and Gerald Roberts as well as City Manager David Torgler, City Attorney David McConaughy, Utilities Director Steve Glammeyer and Community Development Director Glen Black. For the record, the Mayor asked any person participating in the Executive Session who believed that any substantial discussion of any matters not included in the motion to go into Executive Session occurred during the Executive Session in violation of the Open Meetings Law, to state his or her concerns for the record. No concerns were stated.

The meeting was immediately adjourned.

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Jolene E. Nelson, CMC, City Clerk